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July 20, 2000

**CITY OF
ESCONDIDO**
201 NORTH BROADWAY
ESCONDIDO, CA 92025



Honorable Judge Wayne L. Peterson
Superior Court of California, County of San Diego
Department P
220 W. Broadway
San Diego, CA 92101

Re: Title of Grand Jury Report

Honorable Judge Peterson,

As required by California Penal Code Section 933 et. seq., the Escondido City Council submits this response to the 1999-2000 San Diego County Grand Jury Report "Fluoridation of San Diego County Water Supply."

In accordance with California Penal Code Section 933(b)(1) regarding a response to recommendations, the City of Escondido responds that the recommendation has not been implemented because the recommendation requires contingent future action, to wit, the recommendation advises that upon sufficient funding becoming available, the City should reconsider its Ordinance 99-05. The state law identified by the California Attorney General in Opinion 99-1112 is likewise contingent upon funding becoming available, and the preemption issue identified in the Opinion would not arise until such funding becomes available. In accordance with Section 933(b)(2) regarding recommendations requiring further analysis, the City is unable to make a final determination regarding its Ordinance 99-05 until actual funding has become available. Likewise, the "explanation and the scope and parameters of an analysis or study" and the related time frame identified in Penal Code Section 933(b)(3) are dependent entirely on the availability of funding.

Very truly yours,

Jeffrey R. Epp

cc: Honorable Mayor

Lori Holt Pfeiler, Mayor
Keith E. Beier, Mayor Pro Tem
Jerry Kaufman
June Rady
Marie Waldron